



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/523,332

03/10/2000

Akihiko Mochida

P/16-259

5458

7590 05/24/2007
Ostrolenk Faber Gerb & Soffen LLP
1180 Avenue of the Americas
New York, NY 10036-8403

EXAMINER

WONG, ALLEN C

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

05/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/523,332

Applicant(s)

MOCHIDA ET AL.

Examiner

Allen Wong

Art Unit

2621

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1,2,4,5,7,9-16,18,20-22,26-31,33,34,36 and 37.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

Allen Wong
Primary Examiner
Art Unit: 2621

Continuation of 11. does NOT place the application in condition for allowance because: Regarding page 3 of applicant remarks, applicant asserts that the "connector" is not disclosed in Kaiya. The examiner respectfully disagrees. As previously stated, Kaiya's figure 1 discloses element 4a is connected with element 2a. Thus, a "connector" is disclosed in Kaiya.

Regarding page 4 of applicant's remarks, applicant asserts that the "phase adjustment circuit" is not disclosed. The examiner respectfully disagrees. Kaiya's fig.1 discloses the common phase adjustment circuit 33a in that it is used to vary timing signals for driving the imaging device in imaging apparatus 4a. Also, peruse Kaiya's column 6, lines 38-52. In fig.1, Kaiya discloses the element 33a is pre-adjusted to gear the drive signals of the video scope 2a by interactively adjusting the signal at element 31a before it reaches the imaging device or video scope 2a to obtain image data.

Regarding the first paragraph on page 4 of applicant's remarks, applicant states that the "timing signal generation circuit" is not disclosed. The examiner respectfully disagrees. The timing generation circuit is disclosed in Kaiya, where element 33a of figure 4 is the same synchronization circuit as element 33a in fig.1 in that element 78 is the timing signal generation circuit that can generate a timing signal to generate the imaging apparatus, including imaging device, at element 4a of figure 1 to drive the imaging apparatus to obtain an optical image and produce an output at display 5a. The timing signal generation circuit is incorporated in the imaging apparatus 4a of fig.1, where element 33a, interactively connected with elements 31a and 32a, is the synchronization circuit, and that element 78 is the timing signal generation circuit. Thus, the limitation "a timing signal generation circuit" is disclosed.

Regarding the second paragraph on page 4 to page 5 of applicant's remarks, applicant asserts that the prior art does not disclose the limitation "operable to change the phase of the drive signal and input the drive signal of which the phase has been changed to the imaging device via the signal transmission line". The examiner respectfully disagrees. Kaiya does not specifically disclose the limitation operable to change the phase of the drive signal and input the drive signal of which the phase has been changed to the imaging device via the signal transmission line. However, Matumoto teaches the use of a phase-variable sampling pulse generator for adjusting or changing the phase of the drive signal and input the drive signal of which the phase has been changed to the imaging device via the signal transmission line, as shown in figures 1 and 3, where element 19, the phase-variable sampling pulse generator, in that the horizontal drive pulse, ΦH , or the reset pulse, ΦR , signals are inputted into element 31 of the phase-variable sampling pulse generator for processing the pulse width, then into element 32 for phase adjustment to be done over a transmission line. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Kaiya and Matumoto, as a whole, for effectively operating a correlated double sampling circuit or the like without changing the operation timing when it is used for electronic endoscopes having different lengths and minimizing circuitry requirements for saving costs, as disclosed in Matumoto's column 2, lines 39-47. Thus, the limitation "phase adjustment circuit" is disclosed.

Regarding the third paragraph of applicant's remarks, applicant asserts that the imaging device is not disclosed. The examiner respectfully disagrees. In figure 1, element 4a is the imaging apparatus where the imaging device or video scope 2a picks up the optical image and element 5a displays or outputs an image pickup signal. Thus, the imaging device is disclosed. Thus, the rejection is maintained.